

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ACE HARDWARE CORPORATION,)	
)	
Plaintiff,)	Case No. 09 CV 66
v.)	
)	
CELEBRATION ACE HARDWARE, LLC,)	
SHERI DEVITO, DAVID MICALE,)	
CAROL MICALE, DEANNA BENETTI,)	
MATTHEW BENETTI and the DEVITO)	
REVOCABLE TRUST)	
)	
Defendants.)	

PLAINTIFF'S MOTION FOR ENTRY OF JUDGMENT

Plaintiff, Ace Hardware Corporation (“Ace”) pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, respectfully moves this Court to enter judgment against the Devito Revocable Trust (“DRT”) and Celebration Ace Hardware LLC (“Celebration”) in the amount of \$723,702.75. In support thereof, Plaintiff states as follows:

1. On April 7, 2009, a default finding was entered against Celebration and DRT.

[See Docket #26] and this Court set a hearing for prove up of damages to April 28, 2009.

2. As set forth in the Declaration of Gordon Hampton (Exhibit 1) the sum of \$719,955.16 is owed to Plaintiff from Celebration and DRT.

3. An additional \$3,747.59 in attorney’s fees and costs is requested and is supported by the Declaration of David J. Fish, attached as Exhibit 2. Attorneys’ fees and costs are available to Plaintiff as against Celebration by virtue of the following contracts attached to the Complaint: Article III, Section 3 of Exhibit D and Section 8.04(b) of Exhibit B. The Devito Revocable Trust guaranteed Celebration’s payment obligations in Exhibit E to the Complaint.

4. The obligations detailed in Exhibits 1 and 2 are summarized as follows:

(a)	Merchandise and Services	\$206,293.87
(b)	Losses relating to Equity Match Loan Agreement:	271,337.80
(c)	Losses relating to Incentive Agreement	193,500.00
(d)	Use of Ace's Trademark, service marks & logos	60,000.00
(e)	Attorneys Fees and Costs	3,747.59
(f)	Credit Provided For Patronage Dividend	(11,176.51)

TOTAL: **\$723,702.75**

Wherefore, Plaintiff requests judgment against the Devito Revocable Trust ("DRT") and Celebration Ace Hardware LLC ("Celebration") in the amount of \$723,702.75.

Dated: April 21, 2009

Respectfully submitted,
ACE HARDWARE CORPORATION

By: /s/ David J. Fish
One of its Attorneys

Shawn M. Collins
THE COLLINS LAW FIRM, P.C.
1770 North Park Street, Suite 200
Naperville, Illinois 60563
(630) 527-1595

David J. Fish
THE FISH LAW FIRM, P.C.
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EXHIBIT 1

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ACE HARDWARE CORPORATION,)
)
Plaintiff,) Case No. 09 CV 66
v.)
)
CELEBRATION ACE HARDWARE, LLC,)
SHERI DEVITO, DAVID MICALE,)
CAROL MICALE, DEANNA BENETTI,)
MATTHEW BENETTI and the DEVITO)
REVOCABLE TRUST)
)
Defendants.)

DECLARATION OF GORDON HAMPTON

Pursuant to 28 USC §1746, I swear under penalty of perjury that the following information is true:

1. My name is Gordon Hampton. I am over the age of twenty-one, I am competent to make this Declaration, and I have personal knowledge of the matters set forth herein.
2. I have been employed by Ace Hardware Corporation (hereafter "Ace") for over 18 years. My current title is Regional Credit Manager and I previously held the position of Senior Credit Analyst. I am responsible for overseeing the extension of credit to Ace's member stores and also collecting money that is owed to Ace by its member stores. I graduated from Illinois State University. I have attended many seminars that relate to my job over the past 18 years, including seminars on the topics of bankruptcy and credit. I have overseen the financial performance, and monitored the credit of thousands of stores since working with Ace.
3. I have reviewed the Complaint filed in this case and believe its allegations to be true and correct.

4. I am familiar with Defendant Celebration Ace Hardware LLC ("Celebration") and the status of its account with Ace. Attached hereto as Exhibit 1 is a true and correct copy of Celebration's current statement of account. Celebration currently owes to Ace the sum of \$206,293.87. The amount owed is for merchandise and services that Celebration Ace Hardware LLC purchased from Ace within the past 3 years, along with late charges. Celebration agreed to pay for these obligations in one its contracts with us which is called the Ace Hardware Membership Agreement. A true and correct copy of Celebration's Ace Hardware Membership Agreement is attached to the Complaint as Exhibit A.

5. In addition, on or about February 2, 2007, Ace and Celebration entered into the Equity Match Loan Agreement and promissory note pursuant to which Ace, among other things, agreed to lend money to Celebration and Celebration executed a Promissory Note promising to repay the loan plus interest. The Equity Match Loan Agreement and Promissory Note are attached to the Complaint as Exhibit B. Celebration has failed to repay to Ace its obligations under the Equity Match Loan Agreement and promissory note and the total amount currently owed is \$271,337.80.

6. On or about February 1, 2007, Ace and Celebration entered into the Incentive Agreement under which Ace agreed, among other things, to provide \$215,000 to Celebration to purchase inventory for its operating location. A copy of the Incentive Agreement is attached to the Complaint as Exhibit C. Pursuant to the Incentive Agreement, if Celebration did not remain in good standing under the Ace Agreement for a period of 5 years, Celebration was obligated to repay to Ace the \$215,000, minus a prorated portion of that amount for the time it was in good standing. Celebration was in good standing under the Ace Agreement for less than 10% of the 5

year period and, accordingly, is obligated to repay to Ace in excess of 90% of the \$215,000 credit, or \$193,500.00 under the terms and conditions of the Incentive Agreement.

7. Ace also entered into a contract with Celebration called the Ace Brand Agreement. Under the Ace Brand Agreement, Celebration was provided a license to use certain Ace trademarks, but also agreed that it would cease using and remove all Ace trademarks, service marks, and logos upon termination of the parties' relationship. Celebration's Ace relationship terminated on or about October 13, 2008, but Celebration continued to display Ace signage on its property. I personally saw that Ace signage was still present on Celebration's operating location in early April 2009. Pursuant to the Ace Brand Agreement, Celebration is obligated to pay to Ace the sum of \$10,000 per month for its continued use of Ace's trademarks, service marks, and logos after the parties' relationship terminates. Accordingly, an additional \$60,000.00 is owed to Ace under the Ace Brand Agreement.

8. On or about December 19, 2007, the DeVito Revocable Trust and Ace entered into a Corporate Guaranty, a copy of which is attached to the Complaint as Exhibit E. Under the Corporate Guaranty, the DeVito Revocable Trust guaranteed to Ace the payment of Celebration's financial obligations. The DeVito Revocable Trust has not paid Ace for Celebration's obligations under the DeVito Guaranty of Credit.

9. Accordingly, the total amount of money owed to Ace from both Celebration and The DeVito Revocable Trust is \$731,131.67.

10. Celebration became entitled to receive a patronage dividend last year in the amount of \$11,176.51. To be conservative, I have offset this amount against the \$731,131.67, so the total owed is now \$719,955.16.

I declare under penalty of perjury that the foregoing is true and correct.

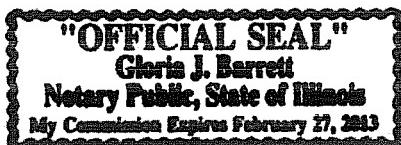
Executed on April 17, 2009

Gordon Hampton

Gordon Hampton

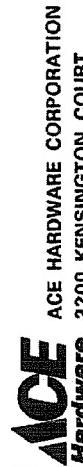
Subscribed and Sworn To Before Me This
17th day of April 2009.

Gloria J. Barrett



BILL TO:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD



ACE HARDWARE CORPORATION
Hardware 2200 KENSINGTON COURT

OAK BROOK, IL 60523-2100 (630)990-6600
 STATEMENT OF ACCOUNT FOR STORE: 14427
 STATEMENT DATE 11/28/08 STATEMENT # 04048483
 PAGE: 2

CELEBRATION FL

34747

PAYMENT DUE DATE	PROCESSED DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	*	CHARGES AND CREDITS	COMMENTS
04/14/08	03/27/08		00340194CM1	6B041320R1			DEBIT/CREDIT REBILL		4,477.33CR	
04/14/08	03/24/08		14427CEF2829	6797S400R1			WHSE CLAIM ADJ		64.82CR	
04/14/08	03/24/08		14427CEF2829	6797S401R1			WHSE CLAIM ADJ		138.20CR	
04/14/08	03/27/08		14427CMF2829	6B0423B3R1			WHSE CLAIM ADJ		0.84CR	
04/14/08	04/02/08		14427DFAFA	6B131514R1			WHSE ORDER		7.88CR	
04/14/08	03/26/08		14427OBG6H10	6B027006R1			BANKCARD RECAP		29.38CR	
04/18/08	04/09/08		6B2085527R1				FLORIDA SALES TAX ADU		374.00CR	
04/18/08	04/07/08		14427BAFF2829	6B171386R1			WHSE CLAIM ADJ		209.09CR	
04/18/08	04/07/08		14427BAFF2829	6B171389R1			WHSE CLAIM ADJ		178.86CR	
04/18/08	04/07/08		14427CEF2829	6B171388R1			WHSE CLAIM ADJ		83.89CR	
04/18/08	04/07/08		14427CMF2829	6B171385R1			WHSE CLAIM ADJ		472.23CR	
04/18/08	04/07/08		14427CMF2829	6B171387R1			WHSE CLAIM ADJ		1,036.24CR	
04/18/08	04/06/08		14427CSF282	6B166372R1			WHSE CLAIM ADJ		0.86CR	
04/18/08	04/16/08		14427DFAF2829	6B310999R1			WHSE CLAIM ADJ		172.02CR	
04/18/08	04/09/08		14427DHFA	6B229509R1			WHSE ORDER		14.16CR	
04/18/08	04/16/08		14427DRFA	6B331149R1			WHSE ORDER		0.84CR	
04/18/08	04/17/08		8488175533ACE	6B339881R1			ACEHARDWARE.COM REFERRAL		2.21CR	
05/12/08	04/24/08		14427DHF2829	6B449823R1			WHSE CLAIM ADJ		34.12CR	
05/12/08	04/24/08		14427DHF2829	6B449824R1			WHSE CLAIM ADJ		242.14CR	
05/12/08	04/25/08		14427DFA	6B478499R1			WHSE ORDER		3.11CR	
05/12/08	04/30/08		14427DTFA	6B539586R1			WHSE ORDER		45.07CR	
05/12/08	05/01/08		144270430081C	6B548414R1			CO-OP ADV WEEKLY BILLING		623.70CR	
05/12/08	05/01/08		144270430082C	6B548415R1			CO-OP ADV WEEKLY BILLING		617.04CR	
05/12/08	05/01/08		8510861013ACE	6B542854R1			ACEHARDWARE.COM REFERRAL		4.96CR	
05/26/08	05/14/08		DF14427135A	6B726779R1			DEFECTIVE GOODS CREDIT		41.27CR	
05/26/08	05/14/08		DF14427135I	6B726780R1			DEFECTIVE GOODS CREDIT		21.14CR	
05/26/08	05/07/08		14427EFFA	6B8632586R1			WHSE ORDER		11.84CR	
05/26/08	05/14/08		14427ENFA	6B736008R1			WHSE ORDER		24.37CR	
05/26/08	05/15/08		9256417134ACE	6B739191R1			ACEHARDWARE.COM REFERRAL		2.22CR	
06/09/08	05/21/08		DF14427142A	6B821243R1			DEFECTIVE GOODS CREDIT		127.23CR	
06/09/08	05/21/08		DF14427142A1	6B821244R1			DEFECTIVE GOODS CREDIT		10.47CR	
06/09/08	05/21/08		DF14427142I	6B821245R1			DEFECTIVE GOODS CREDIT		35.34CR	
06/09/08	05/28/08		DF14427149A	6B8923025R1			DEFECTIVE GOODS CREDIT		35.20CR	
06/09/08	05/28/08		DF14427149I	6B8923026R1			DEFECTIVE GOODS CREDIT		6.92CR	
06/09/08	05/22/08		14427DHF2829	6B8841923R1			WHSE CLAIM ADJ		17.16CR	
06/09/08	05/22/08		14427DZF2829	6B8841930R1			WHSE CLAIM ADJ		62.14CR	
06/09/08	05/22/08		14427DTF2829	6B8841931R1			WHSE CLAIM ADJ		367.40CR	
06/09/08	05/22/08		14427EFF2829	6B8841932R1			WHSE CLAIM ADJ		172.02CR	

INDICATES FIRST TIME BILLING APPEARS ON STATEMENT

CREDIT - MASTER FILE COPY

BILL TO:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD

ACE HARDWARE CORPORATION

14427

CELEBRATION ACE HARDWARE

OAK BROOK, IL 60523-2100 (630)990-6600

STATEMENT OF ACCOUNT FOR STORE: 14427
STATEMENT DATE 11/28/08 STATEMENT #0404848331 BLAKE BLVD
CELEBRATION FL
34747

STATEMENT DUE DATE 12/08/08 PAGE: 3

PAYMENT DUE DATE	PROCESSED DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	*	CHARGES AND CREDITS	COMMENTS
06/09/08	05/23/08	14427-4	4380392480	68858881R1	17783	5332071	BENJAMIN MOORE & CO		502.56CR	
06/09/08	05/23/08	14427-4	4380392481	68858882R1	17783	5332072	ACEHARDWARE.COM REFERRAL		62.34CR	
06/09/08	05/29/08		9284760194ACE	68935342R1			DEFECTIVE GOODS CREDIT		7.17CR	
06/23/08	06/04/08		DF14427156A	69012372R1			DEFECTIVE GOODS CREDIT		31.42CR	
06/23/08	06/04/08		DF14427156A1	69012373R1			DEFECTIVE GOODS CREDIT		2.87CR	
06/23/08	06/11/08		DF14427163A	69107597R1			DEFECTIVE GOODS CREDIT		41.42CR	
06/23/08	06/11/08		DF14427163I	69107598R1			DEFECTIVE GOODS CREDIT		9.91CR	
06/23/08	06/05/08		144270604081C	69030911R1			CO-OP ADV WEEKLY BILLING		17.16CR	
06/23/08	06/12/08		8610748463ACE	69120515R1			ACEHARDWARE.COM REFERRAL		1.40CR	
06/23/08	06/12/08		8641808533ACE	69120516R1			ACEHARDWARE.COM REFERRAL		4.32CR	
07/07/08	06/25/08		DF14427177A	69301831R1			DEFECTIVE GOODS CREDIT		39.89CR	
07/07/08	06/25/08		DF14427177I	69301832R1			DEFECTIVE GOODS CREDIT		11.85CR	
07/07/08	06/17/08		14427EVFO089B	69172112R1			WHSE CLAIM ADJ		375.77CR	
07/07/08	06/26/08		8647558893ACE	69314723R1			ACEHARDWARE.COM REFERRAL		3.66CR	
07/07/08	06/26/08		8696742623ACE	69314724R1			ACEHARDWARE.COM REFERRAL		10.40CR	
07/07/08	06/17/08	XJ041646	91589194	69179726R1	53765	3388002	LEANIN'TREE INC		36.54CR	
07/21/08	07/02/08		DF14427184A	69389839R1			DEFECTIVE GOODS CREDIT		13.14CR	
07/21/08	07/02/08		DF14427184I	69389840R1			DEFECTIVE GOODS CREDIT		38.01CR	
07/21/08	07/09/08		DF14427191A	69475784R1			DEFECTIVE GOODS CREDIT		102.75CR	
07/21/08	07/09/08		DF14427191I	69475785R1			DEFECTIVE GOODS CREDIT		9.14CR	
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08/04/08	07/23/08		DF14427205A	69676895R1			DEFECTIVE GOODS CREDIT		31.77CR	
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08/04/08	07/17/08		14427GPX1260	69592772R1			WHSE CLAIM ADJ		17.67CR	
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09/01/08	08/20/08		DF14427233A	70031019R1			DEFECTIVE GOODS CREDIT		45.10CR	
09/01/08	08/09/08		14427AUFO0885	69891527R1			WHSE CLAIM ADJ		153.70CR	
09/01/08	08/09/08		14427AUFO0898	69891526R1			WHSE CLAIM ADJ		26.20CR	
09/01/08	08/09/08		14427AUFB123	69881530R1			WHSE CLAIM ADJ		37.23CR	
09/01/08	08/09/08		14427AUFB6321	69891529R1			WHSE CLAIM ADJ		114.33CR	
09/01/08	08/09/08		14427FCFQ00898	69891524R1			WHSE CLAIM ADJ		116.09CR	
09/01/08	08/09/08		14427FCF55898	69891528R1			WHSE CLAIM ADJ		16.96CR	
09/01/08	08/09/08		14427FKF00898	69891525R1			WHSE CLAIM ADJ		42.10CR	
09/01/08	08/09/08		14427GDF00898	69891523R1			WHSE CLAIM ADJ		122.49CR	

INDICATES FIRST TIME BILLING APPEARS ON STATEMENT

CREDIT - MASTER FILE COPY

BILL TO:

CELEBRATION ACE HARDWARE
31 BLAKE BLVDCELEBRATION
34747Hardware 2200 KENSINGTON COURT
OAK BROOK, IL 60523-2100 (630)990-6600
STATEMENT OF ACCOUNT FOR STORE: 14427STATEMENT DATE 11/28/08 STATEMENT # 04048483
STMT DUE DATE 12/08/08 PAGE: 4CELEBRATION ACE HARDWARE
31 BLAKE BLVD

CELEBRATION FL

CELEBRATION FL
34747

STORE LOCATION:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD

CELEBRATION FL

CELEBRATION FL
34747

ACE HARDWARE CORPORATION

Hardware

2200 KENSINGTON COURT

OAK BROOK, IL 60523-2100 (630)990-6600

STATEMENT OF ACCOUNT FOR STORE: 14427

STATEMENT DATE 11/28/08 STATEMENT # 04048483

STMT DUE DATE 12/08/08 PAGE: 4

PAYMENT DUE DATE	PROCESSED DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	*	CHARGES AND CREDITS	COMMENTS
09/01/08	08/09/08	14427GRF88985	69891931R1		WHSE CLAIM ADJ				46.97CR	
09/01/08	08/13/08	14427HMFA	69951932R1		WHSE ORDER				4.70CR	
09/01/08	08/20/08	14427HXFA	70039883R1		WHSE ORDER				0.69CR	
09/01/08	08/14/08	14427OB13081C	69961723R1		CO-OP ADV WEEKLY BILLING				41.67CR	
09/01/08	08/21/08	8831121073ACE	70047872R1		ACEHARDWARE . COM REFERRAL				3.06CR	
09/01/08	08/21/08	9428234204ACE	70047797R1		ACEHARDWARE . COM REFERRAL				11.25CR	
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09/15/08	09/03/08	DF14427247A	70208767R1		DEFECTIVE GOODS CREDIT				157.76CR	
09/15/08	08/30/08	14427FKFOOB9B	70172197R1		WHSE CLAIM ADJ				83.62CR	
09/15/08	08/30/08	14427HEFOOB9B	70172196R1		WHSE CLAIM ADJ				337.91CR	
09/15/08	09/01/08	14427HMFOOB9B	70176305R1		WHSE CLAIM ADJ				147.27CR	
09/15/08	09/02/08	14427H4FOOB9B	70189145R1		WHSE CLAIM ADJ				5.58CR	
09/15/08	08/28/08	144270827081C	70143858R1		CO-OP ADV WEEKLY BILLING				14.96CR	
09/15/08	09/04/08	8853364453ACE	70215836R1		ACEHARDWARE . COM REFERRAL				4.49CR	
09/15/08	09/04/08	9479124224ACE	70215835R1		ACEHARDWARE . COM REFERRAL				7.05CR	
09/29/08	09/10/08	DF14427254A	70297825R1		DEFECTIVE GOODS CREDIT				25.00CR	
09/29/08	09/17/08	DF14427261A	70383852R1		DEFECTIVE GOODS CREDIT				15.86CR	
09/29/08	09/18/08	88770153553ACE	70404081R1		ACEHARDWARE . COM REFERRAL				8.96CR	
09/29/08	09/17/08	XJ094415	91689793	70391806R1	53765	4005004	LEANIN'TREE INC		152.49CR	
09/29/08	09/18/08	9519855574ACE	70404082R1		ACEHARDWARE . COM REFERRAL				8.35CR	
09/29/08	09/18/08	DF14427268A	70493862R1		DEFECTIVE GOODS CREDIT				367.20CR	
10/13/08	09/24/08	DF14427268I	70493863R1		DEFECTIVE GOODS CREDIT				3.20CR	
10/13/08	10/02/08	8907179863ACE	70601651R1		DEFECTIVE GOODS CREDIT				14.19CR	
10/13/08	09/26/08	XJ093963	91700070	53765	5615006	LEANIN'TREE INC			9.71CR	
10/13/08	10/02/08	9500539484ACE	70601650R1		ACEHARDWARE . COM REFERRAL				21.23CR	
10/17/08	10/08/08	DF14427282A	70679860R1		DEFECTIVE GOODS CREDIT				15.24CR	
10/17/08	10/15/08	DF14427289A	70782940R1		DEFECTIVE GOODS CREDIT				1.000.00CR	
10/17/08	10/09/08	144271008081C	70699819R1		CO-OP ADV WEEKLY BILLING				4.000.00CR	
10/17/08	10/16/08	144271015081C	70802843R1		CO-OP ADV WEEKLY BILLING				14.08CR	
11/10/08	10/22/08	144278051027	70931744R1		STOCK SUB CLASS A				25.28CR	
04/14/08	03/26/08		68058119R1		POS RENTAL EQUIPMENT				749.00	
04/14/08	04/01/08		68165087R1		BRAND ASSESSMENT				384.62	
04/14/08	02/15/08	14427CHUCK	B117635	67471378R1	75643	3548001	WESTINGHOUSE LIGHTING CO		2.791.11	
04/14/08	03/25/08	CRS1442708085	67998003R1		CORE RETAIL SERVICES				168.14	
04/14/08	03/25/08	CRS1442708085	67998004R1		E4W MAINTENANCE & SUPPORT				654.23	

INDICATES FIRST TIME BILLING APPEARS ON STATEMENT

CREDIT - MASTER FILE COPY

Form# T51754

BILL TO:



CELEBRATION ACE HARDWARE
31 BLAKE BLVD

CELEBRATION FL

STATEMENT DUE DATE 12/08/08 STATEMENT # 04048483
PAGE: 5

ACE HARDWARE CORPORATION
2200 KENSINGTON COURT
OAK BROOK, IL 60523-2100 (630)990-6600

STATEMENT OF ACCOUNT FOR STORE: 14427

STATEMENT DATE 11/28/08

PAGE: 5

STORE LOCATION:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD

FL

CELEBRATION FL
34747

14427
CELEBRATION ACE HARDWARE
31 BLAKE BLVD

CELEBRATION FL

PAYMENT DUE DATE	PROCESSED DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	* CHARGES AND CREDITS	COMMENTS
04/14/08	08/03/08	07	P14427215I	64716157RI			PAINTMAKER BILLING - TAXABLE	591.25	
04/14/08	08/03/08	07	P14427215I	64716157RI			TAX AMOUNT ON P14427215I	41.39	
04/14/08	03/27/08		0034019ADM1	68041319RI			DEBIT/CREDIT REBILL	94,023.93	
04/14/08	03/26/08		14427C3FD	68027005RI			ACE FREIGHT	174.41	
04/14/08	03/26/08		14427C4F06	68038035RI			WHSE ORDER	22.20	
04/14/08	04/02/08		14427DAFD	68121149RI			ACE FREIGHT	608.69	
04/14/08	04/01/08		14427DAFWP	68106481RI			WHSE PAINT ORDER	932.08	
04/14/08	04/01/08		14427DARTX	68111230RI			WHSE ORDER - TAXABLE	107.84	
04/14/08	04/01/08		14427DARTX	68111230RI			TAX AMOUNT ON 14427DARTX	7.55	
04/14/08	04/02/08		14427DBF	68131515RI			WHSE ORDER	754.58	
04/14/08	04/02/08		EC1442732	14427DPBB101P	68127031RI	45551	PAINT PLANT ORDER - TAXABLE	29.73	
04/14/08	04/02/08		EC1442732	14427DPBB101P	68127031RI	45551	TAX AMOUNT ON 14427DPBB101P	2.08	
04/14/08	01/23/08		14427D	67142222RI			VISUAL MERCHANDISING	423.07	
04/14/08	01/01/07		1442711017012	65984569R1			VISUAL MERCHANDISING	401.92	
04/14/08	03/01/08		144272202003	67757188R1			COLOR YOUR LIFE PURCHASE	514.10	
04/14/08	03/07/08		144273001003	67757200R1			COLOR YOUR LIFE-FRT	55.53	
04/14/08	03/05/08		144273002003	67718414R1			INTERIOR DECOR-FRT	163.01	
04/14/08	03/05/08		1442786503003	67718402R1			INTERIOR DECOR PURCHASE	1,246.37	
04/14/08	03/07/08	LISA	4306701950	67758896R1	17783	3082090	BENJAMIN MOORE & CO	1,539.21	
04/14/08	03/11/08	LISA	4306701970	67798674R1	17783	4012016	BENJAMIN MOORE & CO	49.12	
04/14/08	03/21/08	1002	4306713760	67959869R1	17783	3261043	BENJAMIN MOORE & CO	147.35	
04/14/08	03/25/08	14427	5314681	68005124R1	78329	5018030	QUIKRETE COMPANIES LTL PLUS	668.30	
04/14/08	03/17/08	14427/X400	6600059768	67881777RI	54194	3619012	OLDCASTLE LAWN AND GARDEN LTL PLUS	2,713.89	
04/14/08	04/18/08		023489945V004	67012460R1			CEN FLORIDA 08 MATCH FUND	200.00	
04/14/08	04/17/08	CAH300	68373345R1				BRAND ASSESSMENT	384.62	
04/14/08	04/10/08	22B808	ED1426144	67786768R1	49218	3576015	GORILLA GLUE COMPANY THE	321.00	
04/14/08	04/18/08		PD14427108109	68371558R1			PAST DUE SERVICE CHARGE	255.00	
04/14/08	04/15/08		023489945V004	67012460R1			CEN FLORIDA 08 MATCH FUND	69.13	
04/14/08	04/07/08	20080402	1011942	68181823R1	37757	5149123	HILLMAN FASTENER CORP	200.00	
04/14/08	04/07/08	20080402	1014001	68181824R1	37757	5151083	HILLMAN FASTENER CORP	275.47	
04/14/08	04/08/08		14427B4F2829	6819231RI			WHSE CLAIM ADJ	82.43	
04/14/08	03/11/08		14427CLFP6	67812201RI			WHSE ORDER	55.08	
04/14/08	03/18/08		14427CMFP6	67909747RI			WHSE ORDER	68.13	
04/14/08	03/25/08		14427C3FP6	68013048RI			WHSE ORDER	134.82	
04/14/08	04/01/08		14427DAFP6	68111228RI			WHSE ORDER	34.38	
04/14/08	04/08/08		14427DHF	68206443RI			WHSE ORDER	281.95	
04/14/08	04/03/08		14427DHFD	68218651RI			ACE FREIGHT	5,323.27	
04/14/08	04/03/08		14427DHFP6	68206444RI			WHSE ORDER	118.88	
04/14/08	04/03/08		14427DHFP6	68206444RI			WHSE ORDER	62.87	

* INDICATES FIRST TIME BILLING APPEARS ON STATEMENT

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BILL TO:



CELEBRATION ACE HARDWARE
31 BLAKE BLVD

CELEBRATION

FL

FL

STATEMENT DUE DATE 12/08/08 PAGE: 6

CELEBRATION

FL

34747

ACE HARDWARE CORPORATION

Hardware 2200 KENSINGTON COURT

OAK BROOK, IL 60523-2100 (630)990-6600

STATEMENT OF ACCOUNT FOR STORE: 14427

STATEMENT DATE 11/28/08 STATEMENT # 04048483

CELEBRATION ACE HARDWARE
31 BLAKE BLVD

CELEBRATION

FL

34747

STORE LOCATION:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD

CELEBRATION

FL

34747

PAYMENT DUE DATE	PROCESSED DUE DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	*	CHARGES AND CREDITS	COMMENTS
04/28/08	04/08/08	04/14/08	14427DHFWP	68201116RI			WHS E PAINT ORDER		383.38	
04/28/08	04/08/08	04/14/08	14427DHFO01	68273390RI			WHS E CALL ORDER		101.19	
04/28/08	04/08/08	04/14/08	14427DHRTX	68206446RI			WHS E ORDER - TAXABLE		81.30	
04/28/08	04/08/08	04/14/08	14427DHRTX	68206446RI			TAX AMOUNT ON 14427DHRTX		5.70	
04/28/08	04/08/08	04/14/08	14427DUS	68228510RI			WHS E ORDER		1.20	
04/28/08	04/08/08	04/15/08	14427DRF	68309016RI			WHS E ORDER		13,997.23	
04/28/08	04/08/08	04/16/08	14427DRFD	68319899RI			ACE FREIGHT		332.51	
04/28/08	04/08/08	04/15/08	14427DRFP6	68309017RI			WHS E ORDER		256.34	
04/28/08	04/08/08	04/16/08	14427DTRIX04	68331420RI			WHS E ORDER - TAXABLE		56.64	
04/28/08	04/08/08	04/16/08	14427DTRIX04	68331420RI			TAX AMOUNT ON 14427DTRIX04		3.96	
04/28/08	04/08/08	04/16/08	14427DTRO4	68331421RI			UPS FREIGHT CHARGE (SEA)		5.40	
04/28/08	01/23/08		14427DTRB007	67142223RI			VISUAL MERCHANDISING		423.07	
04/28/08	04/09/08		14427DTRB007	68209526RI			ACE REWARDS PROGRAM CHG		235.41	
04/28/08	04/08/08	04/15/08	14427T081000CT	68299323RI			BANKCARD NON-QUAL CHG		24.71	
04/28/08	04/08/08	04/11/01/07	14427T1017013	65984570RI			VISUAL MERCHANDISING		401.92	
04/28/08	03/07/08		14427T2202004	67757189RI			COLOR YOUR LIFE PURCHASE		514.10	
04/28/08	03/07/08		14427T30010004	67757201RI			COLOR YOUR LIFE-FRT		55.53	
04/28/08	03/05/08		14427T30020004	67718415RI			INTERIOR DECOR-FRT		163.01	
04/28/08	04/08/08		14427T8098HCFE	68190958RI			ACE REWARDS PROGRAM CHG		378.16	
04/28/08	03/05/08		14427T86303004	67718403RI			INTERIOR DECOR PURCHASE		1,246.37	
05/12/08	05/02/08		14427T86303004	68575411RI			BRAND ASSESSMENT		384.62	
05/12/08	04/22/08		CRS1442708113	68401605RI			CORE RETAIL SERVICES		168.14	
05/12/08	04/22/08		CRS1442708113	68401606RI			E4W MAINTENANCE & SUPPORT		654.23	
05/12/08	05/02/08		PD14427108123	68573625RI			PAST DUE SERVICE CHARGE		429.75	
05/12/08	08/03/07		P14427215J	6471615RI			PAINTMAKER BILLING - TAXABLE		591.25	
05/12/08	08/03/07		P14427215J	6471615RI			TAX AMOUNT ON P14427215J		41.39	
05/12/08	04/28/08	11/0	00258148	68497526RI	64085	4513002	HAMPTON PRODUCTS INTERNATIONAL		1,009.10	
05/12/08	02/19/08	14427	059478056	6751069RI	3784	3500002	SHURLINE		7.57	
05/12/08	04/22/08		14427DOF	68417022RI			WHS E ORDER		4,753.97	
05/12/08	04/23/08		14427DOFD	68432979RI			ACE FREIGHT		131.59	
05/12/08	04/22/08		14427DOFG	68417023RI			WHS E ORDER		88.28	
05/12/08	04/22/08		14427DOFTX	68417025RI			WHS E ORDER - TAXABLE		4.05	
05/12/08	04/22/08		14427DOFTX	68417025RI			TAX AMOUNT ON 14427DOFTX		0.29	
05/12/08	04/23/08		14427D1F	68443358RI			WHS E ORDER		402.93	
05/12/08	04/23/08		14427D1X04	68443358RI			WHS E ORDER		57.15	
05/12/08	04/24/08		14427D2F	68464501RI			WHS E ORDER		11,961.57	
05/12/08	04/25/08		14427D2FD	68471472RI			ACE FREIGHT		284.29	
05/12/08	04/24/08		14427D2X01	68464504RI			WHS E ORDER		54.72	

INDICATES FIRST TIME BILLING APPEARS ON STATEMENT

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BILL TO:

CELEBRATION ACE HARDWARE
31 BLAKE BLVDCELEBRATION FL
34747ACE HARDWARE CORPORATION
2200 KENSINGTON COURT
OAK BROOK, IL 60523-2100 (630)990-6600
STATEMENT OF ACCOUNT FOR STORE: 14427
STATEMENT DATE 11/28/08 STATEMENT # 04048483

STATEMENT DUE DATE 12/08/08 PAGE: 8

STORE LOCATION:

CELEBRATION ACE HARDWARE
31 BLAKE BLVDCELEBRATION FL
3474714427
CELEBRATION ACE HARDWARE
31 BLAKE BLVD

PAYMENT DUE DATE	PROCESSED DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	*	CHARGES AND CREDITS	COMMENTS
05/26/08	05/06/08		14427EFF	68611603R1			WHSE ORDER		17.913.62	
05/26/08	05/07/08		14427EFFD	68621527R1			ACE FREIGHT		463.71	
05/26/08	05/06/08		14427EFFQ6	68611604R1			WHSE ORDER		376.45	
05/26/08	05/06/08		14427EFFTX	68611605R1			WHSE ORDER - TAXABLE		182.00	
05/26/08	05/06/08		14427EFFTX	68611605R1			TAX AMOUNT ON 14427EFFTX		12.74	
05/26/08	05/06/08		14427EFFW	68606296R1			WHSE PAINT ORDER		4,002.78	
05/26/08	05/07/08		14427EGF	68652697R1			WHSE ORDER		61.02	
05/26/08	05/13/08		14427ENF	68716623R1			WHSE ORDER		9,474.04	
05/26/08	05/14/08		14427ENFD	68726781R1			ACE FREIGHT		338.43	
05/26/08	05/13/08		14427ENFQ6	68716624R1			WHSE ORDER		703.03	
05/26/08	05/13/08		14427ENRTX	68716626R1			WHSE ORDER - TAXABLE		80.75	
05/26/08	05/13/08		14427ENRTX	68716626R1			TAX AMOUNT ON 14427ENRTX		5.65	
05/26/08	01/23/08		144270123B009	67142225R1			VISUAL MERCHANDISING		423.07	
05/26/08	05/13/08		1442701340C7	686588810R1			ACE REWARDS PROGRAM CHG		19.28	
05/26/08	11/01/07		144271017015	65984572R1			VISUAL MERCHANDISING		401.92	
05/26/08	03/07/08		1442722020006	6775719-1R1			COLOR YOUR LIFE PURCHASE		514.10	
05/26/08	03/07/08		144273010006	67757203R1			COLOR YOUR LIFE-FRT		55.53	
05/26/08	03/05/08		1442730020006	677718417R1			INTERIOR DECOR-FRT		162.01	
05/26/08	05/13/08		144278134HCFE	686588811R1			ACE REWARDS PROGRAM CHG		378.16	
05/26/08	03/05/08		1442786303006	677718405R1			INTERIOR DECOR PURCHASE		1,246.37	
06/09/08	05/30/08		68965863R1				BRAND ASSESSMENT		384.62	
06/09/08	05/27/08		CRS1442708148	688596572R1			CORE RETAIL SERVICES		168.14	
06/09/08	05/27/08		CRS1442708148	688596573R1			E4W MAINTENANCE & SUPPORT		812.59	
06/09/08	04/21/08	14427FL	ED1432529	68369985R1	49218	359B034	GORILLA GLUE COMPANY THE		341.41	
06/09/08	05/30/08		PD14427108151	68869819R1			PAST DUE SERVICE CHARGE		786.67	
06/09/08	05/03/07		P14427215K	64716159R1			PAINTMAKER BILLING - TAXABLE		591.25	
06/09/08	05/03/07		P14427215K	64716159R1			TAX AMOUNT ON P14427215K		41.39	
06/09/08	05/29/08		20080527	1187375		68944480R1	37757 4133063 HILLMAN FASTENER CORP		11.92	
06/09/08	05/20/08		14427EVF	68808819R1			WHSE ORDER		6,183.19	
06/09/08	05/21/08		14427EVFD	68821246R1			ACE FREIGHT		169.14	
06/09/08	05/20/08		14427EVFTX	68808821R1			WHSE ORDER - TAXABLE		40.46	
06/09/08	05/20/08		14427EVFTX	68808821R1			TAX AMOUNT ON 14427EVFTX		2.83	
06/09/08	05/20/08		14427EVFWP	68803382R1			WHSE PAINT ORDER		257.08	
06/09/08	01/23/08		144270123B010	67142226R1			VISUAL MERCHANDISING		423.07	
06/09/08	05/22/08		1442708142UKL	68840574R1			ADVERTISING MTH BILLING		2,798.63	
06/09/08	11/01/07		1442711017016	659B4573R1			VISUAL MERCHANDISING		401.92	
06/09/08	03/07/08		1442722020007	67757192R1			COLOR YOUR LIFE PURCHASE		514.10	
06/09/08	03/07/08		1442730010007	67757204R1			COLOR YOUR LIFE-FRT		55.53	

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BILL TO:

CELEBRATION ACE HARDWARE
31 BLAKE BLVDACE HARDWARE CORPORATION
2200 KENSINGTON COURT
OAK BROOK, IL 60523-2100 (630)990-6600STATEMENT OF ACCOUNT FOR STORE: 14427
STATEMENT DATE 11/28/08 STATEMENT # 04048483CELEBRATION FL
CELEBRATION 34747

STATEMENT DUE DATE 12/08/08 PAGE: 9

PAYMENT DUE DATE	PROCESSED DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	*	CHARGES AND CREDITS	COMMENTS
06/09/08 03/05/08			1442730020007	67718418R1			INTERIOR DECOR-FRT		163.01	
06/09/08 03/05/08	03/05/08	14427	14427303007	67718406R1			INTERIOR DECOR PURCHASE		1,246.37	
06/09/08 05/06/08	05/06/08	14427	4306771030	68598421R1	17783	5605024	BENJAMIN MOORE & CO		1,640.49	
06/09/08 05/01/08	03/03/08	88030941	68549774R1	30318	1675042	SMITH & HAWKEN	LTL PLUS	2,397.00		
06/23/08 06/13/08			69151317R1				BRAND ASSESSMENT		384.62	
06/23/08 06/13/08			PD14427108165	69149541R1			PAST DUE SERVICE CHARGE		720.44	
06/23/08 01/15/08			0234894SV006	67012410R1			CEN FLORIDA OB MATCH FUND		200.00	
06/23/08 06/02/08	05/29/2008	1201671	68981462R1	37757	5827087	HILLMAN FASTENER CORP		508.22		
06/23/08 06/02/08	05/29/2008	1203291	68981463R1	37757	5829005	HILLMAN FASTENER CORP		79.28		
06/23/08 06/11/08	20080605	1229388	691110833R1	37757	3915005	HILLMAN FASTENER CORP		66.31		
06/23/08 05/13/08		14427ENFR5	68716625R1			WHSE ORDER		645.10		
06/23/08 05/20/08		14427EVFR5	68808820R1			WHSE ORDER		184.11		
06/23/08 06/03/08		14427FCF	69002173R1			WHSE ORDER		7,012.46		
06/23/08 06/04/08		14427FCFD	69012374R1			ACE FREIGHT		273.64		
06/23/08 06/03/08		14427FCFR5	69002174R1			WHSE ORDER		169.62		
06/23/08 06/03/08		14427FCFTX	69002176R1			WHSE ORDER - TAXABLE		50.87		
06/23/08 06/03/08		14427FCFTX	69002173R1			TAX AMOUNT ON 14427FCFTX		3.56		
06/23/08 06/04/08		14427FDF	69021174R1			WHSE ORDER		73.40		
06/23/08 06/04/08		14427FDX	69021175R1			WHSE ORDER		33.00		
06/23/08 06/05/08		14427FEFF	69039200R1			WHSE ORDER		112.36		
06/23/08 06/05/08		14427FFEX01	69039201R1			WHSE ORDER		66.18		
06/23/08 06/10/08		14427FKF	69056974R1			WHSE ORDER		5,899.83		
06/23/08 06/11/08		14427FKFD	69107599R1			ACE FREIGHT		235.51		
06/23/08 06/10/08		14427FKFWP	69052445R1			WHSE PAINT ORDER		85.75		
06/23/08 01/23/08		144270123B011	67142227R1			VISUAL MERCHANDISING		423.07		
06/23/08 06/10/08		14427081620CT	69080184R1			ACE REWARDS PROGRAM CHG		1,127.48		
06/23/08 11/01/07		1442711017017	65884574R1			VISUAL MERCHANDISING		401.82		
06/23/08 03/07/08		1442722020008	67757193R1			COLOR YOUR LIFE PURCHASE		514.10		
06/23/08 03/07/08		1442730010008	67757205R1			COLOR YOUR LIFE-FRT		55.53		
06/23/08 03/05/08		1442730020008	67718419R1			INTERIOR DECOR-FRT		163.01		
06/23/08 06/10/08		144278162HCFL	69080185R1			ACE REWARDS PROGRAM CHG		75.00		
06/23/08 03/05/08		1442786303008	67718407R1			INTERIOR DECOR PURCHASE		1,246.37		
06/23/08 05/21/08	14427/XJ21	6600069190	68814068R1	54194	4062010	OLDCASTLE LAWN AND GARDEN LTL PLUS		2,623.70		
06/23/08 04/30/08	XJ112117	88031039	68530171R1	30318	7910021	SMITH & HAWKEN	LTL PLUS	88.80		
06/23/08 04/30/08	XJ094773	88031040	68530172R1	30318	7910022	SMITH & HAWKEN	LTL PLUS	590.40		
06/23/08 04/30/08	XJ112117	88031057	68530173R1	30318	7910023	SMITH & HAWKEN	LTL PLUS	1,994.40		
07/07/08 06/27/08						BRAND ASSESSMENT		384.62		
07/07/08 06/24/08						CORRE RETAIL SERVICES		168.14		

INDICATES FIRST TIME BILLING APPEARS ON STATEMENT

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BILL TO:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD

CELEBRATION

FL

34747

Hardware 2200 KENSINGTON COURT
OAK BROOK, IL 60523-2100 (630)990-6600
STATEMENT OF ACCOUNT FOR STORE: 14427
STATEMENT DATE 11/28/08 STATEMENT # 04048483
STREET DATE 12/08/08 PAGE: 10CELEBRATION FL
34747

STORE LOCATION:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD

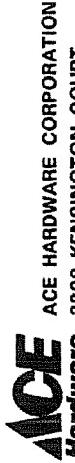
PAYMENT DUE DATE	PROCESSED DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	*	CHARGES AND CREDITS	COMMENTS
07/07/08	06/24/08		CRS14427OB176	69270012RI		E4W	MAINTENANCE & SUPPORT		8.12 .59	
07/07/08	06/27/08		PD14427108179	6934314BRI			PAST DUE SERVICE CHARGE		690 .54	
07/07/08	08/03/07		P14427215L	64716160RI			PAINTMAKER BILLING - TAXABLE		591 .25	
07/07/08	08/03/07		P14427215L	64716160RI			TAX AMOUNT ON P14427215L		41 .39	
07/07/08	06/17/08		14427FUF	69184856RI			WHSE ORDER		5 .584 .29	
07/07/08	06/18/08		14427FUF	69195841RI			ACE FREIGHT		178 .76	
07/07/08	06/17/08		14427FUFWP	69180873RI			WHSE PAINT ORDER		125 .84	
07/07/08	06/24/08		14427F2F	69284369RI			WHSE ORDER		2 .739 .66	
07/07/08	06/25/08		14427F2FD	69301833RI			ACE FREIGHT		134 .65	
07/07/08	01/23/08		144270123B012	6714222BRI			VISUAL MERCHANDISING		423 .07	
07/07/08	06/19/08		1442708170UKL	69216120RI			ADVERTISING MTH BILLING		1 ,330 .60	
07/07/08	06/25/08		1442708176UKJ	69291882RI			MAY MINI SIGN KIT		26 .75	
07/07/08	11/01/07		1442711017018	65984575RI			VISUAL MERCHANDISING		401 .92	
07/07/08	03/07/08		1442722020009	67757194RI			COLOR YOUR LIFE PURCHASE		514 .10	
07/07/08	03/07/08		1442730010009	67757206RI			COLOR YOUR LIFE-FRT		55 .53	
07/07/08	03/05/08		1442730020009	67718420RI			INTERIOR DECOR-FRT		163 .01	
07/07/08	03/05/08		1442786303009	67718408RI			INTERIOR DECOR PURCHASE		1 ,246 .37	
07/07/08	06/20/08	14427	4306821930	69232815RI	17783	5294005	BENJAMIN MOORE & CO		1 ,216 .84	
07/07/08	06/20/08	14427	4306822290	69232816RI	17783	5284010	BENJAMIN MOORE & CO		50 .86	
07/07/08	05/12/08	CHUCK208	787941	68687611RI	60817	5281003	STANLEY WORKS THE304		361 .20	
07/07/08	04/28/08	CHUCK	880-31138	68492283RI	30318	4232014	SMITH & HAWKEN LTL PLUS		598 .80	
07/07/08	04/28/08	ELITEORDER	880-31206	68492284RI	30318	4232046	SMITH & HAWKEN LTL PLUS		1 ,188 .00	
07/21/08	07/11/08			69522235RI			BRAND ASSESSMENT		384 .62	
07/21/08	07/10/08	14427F	ED144239	69373421RI	49218	3380002	GORILLA GLUE COMPANY THE		898 .88	
07/21/08	07/11/08		PD1442710B193	69520465RI			PAST DUE SERVICE CHARGE		582 .26	
07/21/08	07/11/08		0234B9945V007	67012411RI			CEN FLORIDA 08 MATCH FUND		200 .00	
07/21/08	06/30/08	307	1296726	693598521R	37757	3441098	HILLMAN FASTENER CORP		453 .33	
07/21/08	06/30/08	307	1299075	693598522R	37757	3443073	HILLMAN FASTENER CORP		102 .54	
07/21/08	02/26/08		14427B4F55	67622376RI			WHSE ORDER		21 .08	
07/21/08	04/24/08		14427D2F55	68464503RI			WHSE ORDER		21 .08	
07/21/08	06/09/08		14427FCFS5	69002175RI			WHSE ORDER		2 ,967 .12	
07/21/08	06/10/08		14427FKFS5	69096975RI			WHSE ORDER		102 .99	
07/21/08	06/17/08		14427FUFS5	69184857RI			WHSE ORDER		21 .08	
07/21/08	06/24/08		14427F2FS5	69284370RI			WHSE ORDER		95 .05	
07/21/08	07/01/08		14427GAF	69379455RI			WHSE ORDER		9 ,040 .36	
07/21/08	07/02/08		14427GAFD	69389811RI			ACE FREIGHT		265 .45	
07/21/08	07/01/08		14427GAF55	69379456RI			WHSE ORDER		206 .98	
07/21/08	07/01/08		14427GAFNP	69374569RI			WHSE PAINT ORDER		433 .89	

INDICATES FIRST TIME BILLING APPEARS ON STATEMENT

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BILL TO:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD



ACE HARDWARE CORPORATION

Hardware 2200 KENSINGTON COURT

OAK BROOK, IL 60523-2100 (630)990-6600

STATEMENT OF ACCOUNT FOR STORE: 14427

STATEMENT DATE 11/28/08 STATEMENT # 04048483
STMT DUE DATE 12/08/08 PAGE: 11

FL

CELEBRATION

CELEBRATION

34747

STORE LOCATION:

CELEBRATION ACE HARDWARE
31 BLAKE BLVD

FL

CELEBRATION

34747

PAYMENT DUE DATE	PROCESSED DATE	PURCHASE ORDER NUMBER	INVOICE NUMBER	ACE DOCUMENT NUMBER	VENDOR NUMBER	MICRO INDEX NUMBER	VENDOR NAME OR DESCRIPTION	*	CHARGES AND CREDITS	COMMENTS
07/21/08	07/10/08	14427GKF	69507050R1				WHSE ORDER		122.77	
07/21/08	07/11/08	14427GKF	69513436R1				ACE FREIGHT		13.56	
07/21/08	07/11/08	14427GLF	69519721R1				WHSE ORDER		9,177.63	
07/21/08	07/11/08	14427GLFS5	69519722R1				WHSE ORDER		70.36	
07/21/08	07/11/08	14427GLFWP	69517224R1				WHSE PAINT ORDER		165.75	
07/21/08	07/11/08	1442701238013	67142229R1				VISUAL MERCHANDISING		423.07	
07/21/08	07/08/08	14427081900CT	69451013R1				ACE REWARDS PROGRAM CHG		283.21	
07/21/08	11/01/07	1442711017019	659B4576R1				VISUAL MERCHANDISING		401.92	
07/21/08	03/07/08	1442722020010	67757195R1				COLOR YOUR LIFE PURCHASE		514.10	
07/21/08	03/07/08	1442730010010	67757201R1				COLOR YOUR LIFE-FRT		55.53	
07/21/08	03/05/08	1442730020010	67718421R1				INTERIOR DECOR-FRT		163.01	
07/21/08	07/08/08	144278196HCFE	69451014R1				ACE REWARDS PROGRAM CHG		75.00	
07/21/08	03/05/08	1442786303010	67718409R1				INTERIOR DECOR PURCHASE		1,246.37	
07/21/08	06/11/08	14427-4170	1630024440	69110834R1	21568	3772002	FREUDENBERG HOUSEHOLD PRODUCTS		303.26	
08/04/08	03/18/08			67894449R1			GRAND OPENING		1,266.94	
08/04/08	03/18/08			678944492R1			GRAND OPENING		1,850.00	
08/04/08	07/25/08			69720455R1			BRAND ASSESSMENT		384.62	
08/04/08	07/22/08	CRS1442708204	69646780R1				CORE RETAIL SERVICES		168.14	
08/04/08	07/22/08	CRS1442708204	69646781R1				E4W MAINTENANCE & SUPPORT		812.59	
08/04/08	07/25/08	PD14427108207	69718710R1				PAST DUE SERVICE CHARGE		715.76	
08/04/08	03/21/08	0034019ADM	67957565R1				TO REBILL LEAKTITE INVOIC		4,477.33	
08/04/08	02/28/08	P14427	00340637	67659801R1	50580	5638001	LEAKTITE CORPORATION		636.48	
08/04/08	07/22/08	JIM	107714	69654626R1	38866	3310004	EXCELL PRODUCTS - TAXABLE		173.04	
08/04/08	07/22/08	JIM	107714	69654626R1	38866	3310004	TAX AMOUNT ON 107714		12.11	
08/04/08	03/25/08		14427C3F	680130407R1			WHSE ORDER		7,634.96	
08/04/08	04/01/08	14427DAF	68111252R1				WHSE ORDER		17,167.14	
08/04/08	07/12/08	14427GLFD	69522719R1				ACE FREIGHT		271.88	
08/04/08	07/15/08	14427GFR	69562328R1				WHSE ORDER		6,382.20	
08/04/08	07/16/08	14427GRFD	69573918R1				ACE FREIGHT		252.77	
08/04/08	07/15/08	14427GFRS5	69562329R1				WHSE ORDER		624.28	
08/04/08	07/15/08	14427GFRWP	69556325R1				WHSE PAINT ORDER		284.28	
08/04/08	07/22/08	14427GOF	69660307R1				WHSE ORDER		5,815.40	
08/04/08	07/23/08	14427GOFD	696763897R1				ACE FREIGHT		200.78	
08/04/08	07/22/08	14427GOFWP	69655741R1				WHSE PAINT ORDER		707.53	
08/04/08	01/23/08	144271238014	67142230R1				VISUAL MERCHANDISING		423.07	
08/04/08	02/20/08	1442708051UW	67519317R1				PRINT TOOL BOX CHG		267.50	
08/04/08	07/17/08	144270819BUKL	69591476R1				ADVERTISING MTH BILLING		1,343.80	
08/04/08	11/01/07	1442711017020	659B4577R1				VISUAL MERCHANDISING		401.92	

INDICATES FIRST TIME BILLING APPEARS ON STATEMENT

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EXHIBIT 2

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ACE HARDWARE CORPORATION,)
)
Plaintiff,) Case No. 09 CV 66
v.)
)
CELEBRATION ACE HARDWARE, LLC,)
SHERI DEVITO, DAVID MICALE,)
CAROL MICALE, DEANNA BENETTI,)
MATTHEW BENETTI and the DEVITO)
REVOCABLE TRUST)
)
Defendants.)

DECLARATION OF DAVID FISH

Pursuant to 28 USC §1746, I swear under penalty of perjury that the following information is true:

1. My name is David Fish; I am over the age of twenty one and I am competent to make this Declaration and have personal knowledge of the matters set forth herein.
2. I have been licensed to practice law since 1999 and am the principal of The Fish Law Firm, P.C. and I am also Of Counsel to The Collins Law Firm, P.C. and have either been employed by or served as Of Counsel to The Collins Law Firm P.C. since October 2001. I oversee the billing with respect to the Plaintiff.
3. I am a member of the Trial Bar of the Northern District of Illinois, Eastern Division.
4. Plaintiff is seeking an award of \$3,747.59 in attorney's fees and costs. There has actually been in excess of \$9,000.00 charged to Plaintiff for this lawsuit, but to be conservative Plaintiff is not including certain fees and costs which are only attributable to matters relating to the other defendants against whom default is not being sought.

5. The fees charged to Plaintiff for David Fish in this matter are \$225 per hour. This amount is actually substantially less than the ordinary and customary rate charged to other clients on whose behalf David Fish performs legal work. In addition, this amount is less than the market rate for comparable legal services performed in the Chicago suburban legal market.

6. The fees and costs sought herein have actually been billed to Plaintiff and have been paid by Plaintiff. The work performed has been necessary and customary to obtain the relief sought.

7. Plaintiff seeks to recover for the following billing entries all of which are recorded contemporaneously with the work while it is being performed and are kept in the ordinary course of business:¹

<u>Date</u>	<u>Description</u>	<u>Hours</u>	<u>Total</u>
12/5/2008	Meeting with [Ace in-house counsel]; brief review of documents/[review of legal issue]	2.25	\$506.25
12/8/2008	Review documents; strategy meeting re: lawsuit	2.25	\$506.25
12/10/2008	Drafting of complaint; further review of documents	4.75	\$1,068.75

¹ Where brackets are used, identifying information was modified either to provide the Court with context (i.e., a position rather than a name) or to redact potentially privileged matters.

12/12/2008	Finalize complaint	1.50	\$337.50
12/21/2008	Westlaw research re: [legal issue]; analyze changes needs for complaint.	.60	\$135.00
3/3/2009	Prepare for and attend court; arrange for filing of motion for default judgment	2.75	\$618.75
3/5/2008	Correspondence; work on obtaining default	.75	\$168.75
Cost	Westlaw research		\$56.34
	Filing Fee		\$350.00
<u>Total</u>			<u>\$3,747.59</u>

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 21, 2009



David J. Fish